

- Di*
- (1) at least one of the other users; and
  - (ii) disconnect
    - (1) at least one of the other users.
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### REMARKS

These amendments are made in response to the Examiner's Office Action of January 21, 1998 and after a very helpful interview on May 14, 1998. Claims 2 to 14 have been replaced with claims 15 to 28. These replacements were made to improve the form and readability of the claims and not in response to the prior art cited by the Examiner.

In the Office Action, the Examiner objected to certain claims and rejected others.

#### *Objections to the Claims*

Claim 10 was objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Claim 10 has been cancelled. All new claims have proper dependencies.

#### *Claim Rejections*

##### *Claims 2-3 and 9*

In the Office Action, apparatus claims 2 and 3 and method claim 9 were rejected under 35 U.S.C. 103(a) as being unpatentable over Vin et al. in combination with Ahuja et al. The Examiner reasoned as follows:

As to claims 2 and 9, Vin teaches a teleconferencing system for conducting a teleconference among a plurality of users (Title, Figure A) having workstations with associated

monitors for displaying visual images (Fig A, Macaw monitor), and with associated AV capture and reproduction capabilities for capturing and reproducing Video images and spoken audio of the users (Fig. A and page 70, right column, starting with " A user can establish..." to page 71, left column, line 2), the workstations being connected by a first network (Page 71, left column, line 16, "Larks digitize over an Ethernet".) Providing a data path for carrying digital data signals among the workstations (Fig. A, "data" connection), comprising:

a call control means for controlling a connection between a workstation and a destination device, operable to generate at least one callhandle including a state indicator, wherein the states can be one of an idle state (page 77, left column, lines 11-13), an ringing state (Page 77, middle column, lines 4-8), an active state (Page 77, middle column, lines 14-22) or a hold state (middle column, lines 23-29).

Vin, while teaching Audio/Visual connections and also contemplates sharing of data (Page 71, right column, line 3 to Page 72, left column, line 14), does not explicitly teach a data path and data conference manager separate from AV path and AV conference manager.

Ahuja teaches a multimedia teleconferencing network (See Title) in which there is provided a data conference manager (Fig. 2, #s 30 and 40), an AV path (Fig. 2, #s 70, 72, 74 and 76) and an AV conference manage (Fig. 2, #s 32, 34, 42 and 44).

As to claim 3, both Vin and Ahuja teach that there can be at least three users (See Ahuja, Fig. 6, showing 3 conferees, and Vin, Fig. 2, showing users A1, A2 and A3 holding a conference C 1 ).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement separate managing means for AV and data as taught by Ahuja in the teleconferencing system taught by Vin in order to provide a convenient conferencing of various conferees having different level of multimedia capabilities (See Ahuja, Col. 2, lines 9-11 ).

Independent claims 2 and 9 have been cancelled and replaced with similar independent claims 15 and claim 22. Both independent claims 15 and 21 reflect the concept of call

handles as discussed with the Examiner on May 14. This call handle concept is described in detail on pages 35 (2<sup>nd</sup> last full paragraph) to 41 and beyond.

As discussed with the Examiner, the Vin “call control means” cited by the Examiner above, does not generate the “call handle” of these claims. As can be seen from the description in Vin cited by the Examiner, Vin discloses an agent that manages a call. But, this agent does not represent a call by using a call handle. In particular, the agent does not define at least two separate call handles, for each call, in which the call is established based on the call handles’ states.

In this regard, the Examiner is reminded that ,if it cannot be shown that the references *teach* all the claimed features, *prima facie* obviousness can only be establishing by showing that the prior art *suggests* the claimed configuration.<sup>1</sup> This showing must be made by a convincing line of reasoning.<sup>2</sup>

Applicants believe that neither Vin alone or in combination with Ahuja can support the claimed call handing concept. Accordingly, it is submitted that the invention cannot be obvious in the light of Vin and the burden of providing a convincing line of reasoning for such obviousness cannot be met.

***Claims 4-5 and 10-12; Claims 6, 7 and 13***

Claims 4-5 and 10-12 were rejected under 35 U.S.C. 103(a) as being unpatentable over Vin et al.

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<sup>1</sup> *In re: Royka*, 490 F.2d 981, 180 USPQ 580 CCPA 1974 as cited in the MPEP § 143.03.

<sup>2</sup> *Ex Parte Clapp* 227, USPQ, 972, 973 (Bd. Pat. App. & Inter. 1985) as cited in the MPEP § 2142.

in view of Palmer et al., US Patent 5,608,653. Independent apparatus Claim 6, dependent claim 7 and independent method claim 13 were rejected under 35 U.S.C. 103(a) as being unpatentable over Vin et al. in view of Ahuja et al. as applied to claims 2 and 9 above, and further in view of Vin2.

All these claims are similar to claims now dependent on the above two independent claims 15 and 22.

Without responding to the Examiner's characterization of these claims and the references, Applicants have made these claims dependent on the "call handle" claims above. As these claims are now directly or indirectly dependent on believed allowable claims 15 or 22 they are, therefore, also believed allowable.

#### ***Claims 8 and 14***

Finally, Claims 8 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vin et al in view of Bales et al., US Patent 5,373,549, a rejection supported by the following Examiner reasoning:

Vin teaches the invention substantially as claimed as explained above in paragraph 3 in connection with rejections of claims 2 and 9.

Vin does not explicitly teach the selection mechanism, the disconnection mechanism or the add user selection mechanism.

Bales teaches a teleconference system in which a users can add (Fig. 6, Col. 6, lines 12-53) or disconnect (Col. 8, lines 3-40) or put on hold (Fig. 15, # 1524, 1525, 1526 and 1527 and Col. 9, lines 18-39, Col. 9, lines 60-Col. 10, line 3), a user (See also Abstract, Figs. 5, 10 and 11 ).

Claims 8 and 14 are similar to new claims 21 and 28. In these new claims, however, the

last element of the Markush group (selecting a new caller and adding the selected caller) has been cancelled. This reduces the claim's scope. In addition, these claims are limited to reflect that *any* one of a plurality of users can remotely disconnect or put on hold any one of a number of users. It is submitted that this claimed configuration is neither disclosed in nor obvious from the cited references.

By the Examiner's own admission, Vin does not teach this feature. Thus, the Examiner relies on Bales. But Bales does not disclose the claim limitation where *any one of the users* can disconnect or place on hold another user. Indeed, Bales specifically states that only the "station controlling an individual conference can terminate any [other] station..." and goes on to declare "A station set which is a sub-party to a conference can *only* terminate itself from the conference and is *incapable* of terminating another station set." [Column 7, lines 58 to 63, emphasis added.]. This is not surprising when the Bales architecture is considered. Bales uses an architecture based on one station controlling a call. [Column 7, lines 26 to 39, describing Figs 8 and 9] Thus, Bales is a hierarchical configuration.

In stark contrast, the invention claimed in these specific claims is based on an architecture where all "stations" are equal peers with equal functionality. It is submitted that this is in no way obvious from the combination of Vin and Bales, particularly in light of Bales specifically stating that the claimed functionality is not possible. These claims are accordingly believed patentable.

#### CONCLUSION

For all the above reasons, therefore, Applicants, submit that the burden of showing *prima facie* obviousness of these claims cannot be met and the claims are patentable. Accordingly, Applicants request allowance of this application at the Examiner's earliest convenience. Should the Examiner believe a further conference would expedite the allowance of this application, please contact the undersigned.

Respectfully submitted,



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